

GARY S. VILLANUEVA

ATTORNEY AT LAW

11 PARK PLACE, SUITE 1601  
NEW YORK, NEW YORK 10007  
(212) 219-0100

—  
FAX (212) 219-3701

GARYVILLANUEVA@AOL.COM

March 8, 2019

By ECF and hand delivery

The Honorable Frederic Block  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Juan Nicolas Hindu Robles  
Criminal Docket No. 15-208 (FB)

Dear Judge Block:

I represent Juan Nicholas Hindu Robles, a sixty seven (67) year old man suffering with a myriad of interrelated and serious health conditions, who prior to this arrest at age 64, had worked as a truck driver for over twenty five years, raising his children and living a productive life as a Legal Permanent Resident here in the United States. He continues to enjoy the support of his family and friends who have written letters of support and who are traveling from California to support Mr. Hindu-Robles at his sentence hearing. Taking into consideration, Mr. Hindu-Robles age, stellar work history, family support and his significant health issues, I respectfully request that the Court sentence Mr. Hindu- Robles to a non-guideline sentence which under the circumstances is sufficient but not greater than necessary to achieve the goals of sentencing, 18 U.S.C. § 3553(a).

As a first time offender Mr. Hindu Robles has had an difficult time adapting to prison life, due in part to the extreme and constant health issues he has struggled with over the thirty seven months of his detention. Despite those issues, Mr. Hindu-Robles accepted responsibility for his actions, expressed remorse and entered a guilty plea to the charges in this case. He has no objection to the Pre-sentence Report and is ready for sentencing.

I. Medical History

[REDACTED]

[REDACTED]

[REDACTED] ed V [REDACTED] Y [REDACTED] n) . [REDACTED]  
[REDACTED] t [REDACTED] s  
[REDACTED] t [REDACTED] s  
[REDACTED] n [REDACTED] s immo [REDACTED] e [REDACTED] s  
[REDACTED] [REDACTED]

This decision is not borne out of just fear or even isolation from his family, all of whom reside in California but I suspect it is also a result of his very difficult adjustment to detention. At his arrest [REDACTED] only thereafter he was allowed eight hours of sleep a day. [REDACTED]  
[REDACTED] d [REDACTED]  
[REDACTED] i [REDACTED] [REDACTED]  
[REDACTED] h [REDACTED] s.

In a good faith and appropriate medical decision to address one set of medical issues, Mr. Hindu-Robles was placed on a special diet. This made him weak and sluggish. To further complicate his medical condition, [REDACTED]

[REDACTED]  
[REDACTED] s.  
[REDACTED] e is [REDACTED] R [REDACTED]  
[REDACTED] th [REDACTED] e, o [REDACTED] [REDACTED] anxiety  
[REDACTED] C [REDACTED] time [REDACTED] [REDACTED] h  
[REDACTED] a [REDACTED] different occasi [REDACTED] [REDACTED] attached to [REDACTED] e  
[REDACTED] b [REDACTED])

---

1

[REDACTED] 10  
year with [REDACTED] 1' 1" 5' 6" long. [REDACTED] robes  
indicate that [REDACTED] 2' 4" 6' 4" patients over 70  
His symptoms includ [REDACTED] [REDACTED] [REDACTED] robes,  
fatig [REDACTED] [REDACTED] [REDACTED] [REDACTED]

2

It is important to note that security concerns create an obstacle for his family and even his lawyer to learn of the hospitalization and his condition. This creates a further set of anxiety on his family and on Mr. Hindu-Robles.

Although this is a difficult subject to address it is not unusual [REDACTED]  
[REDACTED] believe [REDACTED]  
[REDACTED] particularly [REDACTED] stress [REDACTED] [REDACTED]  
[REDACTED] cal.

## II. Family Background and Work History

Mr. Hindu-Robles has the support, admiration and gratitude of his family. His son, Cesar Hindu submitted a thoughtful and poignant letter, that any father would be proud to earn. In it, Cesar concedes his bias, and acknowledges that his own success would not have been possible without his father's love, guidance and support. He goes on to attempt to give the Court a fuller portrait of his father's contribution to him individually and to their entire family. He shares with the Court the fact that his father worked as a truck driver for the same company for over twenty five years. He devoted his life to raising his family of five. He instilled values and as only a son who appreciates the impact his father had on his life, Cesar goes on to say: " I think I'm one of the prime examples of his up bringing's because I believe I have succeeded in life in my personal and professional arena." "This a reflection of the man that my father and mother raised ...". Lastly, he simply says he is fortunate and honored to know Mr. Hindu-Robles as a father, grandfather and husband.

Carole Shadler, who runs Shapiro-Gilman-Shandler trucking company has submitted a letter attesting to the fact that Mr. Hindu-Robles was a truck driver at the company and was a valuable and responsible employee. As noted in the letter from his wife, Mr. Hindu-Robles was forced to retire from Shapiro Gilman Shandler because he suffered a debilitating accident at work which required back surgery. Prior to the accident, Mrs. Hindu described her husband working 12-15 hours per day, Monday - Saturdays for over 25 years. Although they are separated Mrs. Hindu asks the Court to take into consideration in sentencing her husbands age, health condition, as well as crediting him for a life time of honest hard work and dedication to his family.

Mr. Hindu-Robles also enjoys the support and admiration of friends as well as family. For example, Belem Soto confirms that Mr. Hindu Robles is a hard working man who would give the "bread from his moth to anyone who needed it". He gives to others asking nothing in return.

## III. Specific and General Deterrence

Because Juan Hindu Robles is now sixty seven years old any sentence date will find at the end of his life and less likely to re-offend

and no longer a risk for future crimes.<sup>3</sup>

The defense acknowledges that the Court must consider General Deterrence as a sentencing factor. However, empirical research and practical experience demonstrates that longer sentences rarely have a deterrent effect on defendants. In fact, our recent National public and political policy debates which rethink the War on Drugs seem to recognize that over-punishment for drug crimes is a policy that has had a devastating impact on some communities and has not achieved its intended goal to wipe out drug use.

#### IV. Conclusion

Juan Nicholas Hindu Robles lived out the majority of his adult life with no criminal history, as a hard working truck driver, husband and father. His children were raised and became productive and law abiding citizens, according to his son in no small part to Mr. Hindu-Robles influences. Tragically, [REDACTED], however, under the individualized sentence regime Mr. Hindu-Robles age, health work and family history are sentencing factors justifying a non-guideline sentence.

Thank you for your consideration.

Respectfully submitted,

/s/ Gary S. Villanueva

cc: A.U.S.A. Erin Reid (By email unredacted copy)  
Juan Nicholas Hindu Robles (By Hand delivery)

. See Travis and Bruce Western, *The Growth of Incarceration in the United States: Exploring Causes and Consequences* (2014), at 155 (“Because recidivism rates decline markedly with age, lengthy prison sentences, unless they specifically target very high-rate or extremely dangerous offenders, are an inefficient approach to preventing crime by incapacitation.”).